

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OHIO

Civil Action No. 1:13-cv-02665-JG

PROCOM SUPPLY, LLC, a Colorado limited liability company,

Plaintiff,

v.

MECHEL LANGNER, an individual,
AHARON MANN, an individual,
THE FIRST NATIONAL GROUP, LLC, a limited liability company,
LAND M REALTY BROKERS LLC, a limited liability company,
FIRST NATIONAL MANAGEMENT LLC, a limited liability company,
and REAL INVESTORS LLC, a limited liability company,

Defendants.

**JUDGMENT CREDITOR PROCOM SUPPLY, LLC'S REQUEST FOR
INTERNATIONAL JUDICIAL ASSISTANCE PURSUANT TO THE HAGUE
CONVENTION OF 18 MARCH 1970 ON THE TAKING OF EVIDENCE
ABROAD IN CIVIL OR COMMERCIAL MATTERS**

1. Sender

Anthony L. Leffert
Attorney at Law
Robinson Waters & O'Dorisio, P.C.
1099 18th Street, Suite 2600
Denver, Colorado 80202
United States of America

2. Central Authority of
the Requested State

Legal Assistance to Foreign Countries
Office of the Legal Advisor
Administration of Courts
22 Kanfei Nesharim St.
Jerusalem 95464
P.O.B. 34142
Israel

3. Person to whom the
executed request is
to be returned

Anthony L. Leffert
Attorney at Law
Robinson Waters & O'Dorisio, P.C.
1099 18th Street, Suite 2600
Denver, Colorado 80202
United States of America

4. Specification of the date by which the requesting authority requires receipt of the response to the Letter of Request

Date February 1, 2016

Reason for urgency*
Legal counsel for the Plaintiff is trying to schedule a deposition of another Defendant in this case in April, 2016, that will also be conducted in Israel. As such, scheduling both depositions to occur during one trip to from the United States to Israel would be most economically efficient.

IN CONFORMITY WITH ARTICLE 3 OF THE CONVENTION, THE UNDERSIGNED APPLICANT HAS THE HONOUR TO SUBMIT THE FOLLOWING REQUEST:

5. a Requesting judicial authority (Article 3,a))
Judge James S. Gwin
United States District Court for the Northern District of Ohio
Carl B. Stokes United States Court House
801 West Superior Avenue, Courtroom 18A
Cleveland, Ohio 44113-1838 United States of America

b To the competent authority of (Article 3, a))
Legal Assistance to Foreign Countries
Office of the Legal Advisor
Administration of Courts
22 Kanfei Nesharin St.
Jerusalem 95464
P.O.B. 34142

c Names of the case and any identifying number
Procom Supply, Inc. v. Langner, et al.
United States District Court
Northern District of Ohio
Case No: 1:13-CV-02665

6. Names and addresses of the parties and their representatives (including representatives in the requested State*) (Article 3, b))

a Plaintiff
Procom Supply, Inc.
1450 Wynkoop Street, Loft 1F
Denver, Colorado 80202
United States of America

Representatives
Anthony L. Leffert, Attorney at Law
Robinson Waters & O'Dorisio, P.C.
1099 Eighteenth Street, Suite 2600

* Omit if not applicable.

<i>b</i>	Defendant	<p>Aharon Mann 210 Yaffo Street Jerusalem Israel</p>
	Representatives	<p>None</p>
<i>c</i>	Other parties	<p>Other Defendants: Mechal Langner; The First National Group, LLC; L and M Realty Brokers LLC; First National Management LLC; and Real Investors LLC</p>
	Representatives	<p>None</p>
7. <i>a</i>	Nature of the proceedings (divorce, paternity, breach of contract, product liability, etc.) (Article 3, <i>c</i>)	<p>Conversion/Civil Theft, Unjust Enrichment, Conspiracy.</p>
<i>b</i>	Summary of complaint	<p>The Plaintiff was defrauded into a real estate investment that did not exist by a nonparty. The Defendants in this case received and, despite several demands to do so, refused to return the money that the Plaintiff was told would be invested in a real estate development.</p>
<i>c</i>	Summary of defence and counterclaim*	<p>None. Defendant Aharon Mann failed to file a timely answer to the Complaint, and the District Court for the Northern District of Ohio entered judgment against Mann and in favor of the Plaintiff in the amount of \$567,000.00 (US), plus pre- and post-judgment interest.</p>
<i>d</i>	Other necessary information or documents*	<p>The U.S. Court's Entry of Default Judgment against Defendant Aharon Mann is enclosed with this Letter of Request.</p>
8. <i>a</i>	Evidence to be obtained or other judicial act to be performed (Article 3, <i>d</i>)	<p>Plaintiff requests leave, as Mr. Mann's judgment creditor, to depose Aharon Mann in order to obtain information regarding his assets so that the Plaintiff may execute on its judgment against Mr. Mann.</p>

<p><i>b</i> Purpose of the evidence or judicial act sought</p>	<p>To obtain information regarding Aharon Mann's assets in order to execute and collect on Plaintiff's judgment against Mr. Mann.</p>
<p>9. Identity and address of any person to be examined (Article 3, e))*</p>	<p>Aharon Mann 210 Yaffo Street Jerusalem Israel</p>
<p>10. Questions to be put to the persons to be examined or statement of the subject-matter about which they are to be examined (Article 3, f))*</p>	<p>(See attached list)</p>
<p>11. Documents or other property to be inspected (Article 3, g))*</p>	<p>Any tax returns filed with any government for 2012-2014; Bank or other financial institution statements for all accounts in the name of or used by Mann for the period 2012 to present; relating to any real or personal property, business or entity, or stocks, bonds, notes, retirement accounts, life insurance, or other investments in which Mann has an interest.</p>
<p>12. Any requirement that the evidence be given on oath or affirmation and any special form to be used (Article 3, h))*</p>	<p>Under oath by an officer authorized to administer oaths by the law in the place of examination, or in the event that the evidence cannot be taken in this manner, it may be taken in such manner as provided by local law for the formal taking of evidence.</p>
<p>13. Special methods or procedure to be followed (e.g. oral or in writing, verbatim, transcript or summary, cross-examination, etc.) (Articles 3, i) and 9)*</p>	<p>Oral deposition with a court reporter to transcribe the oral testimony.</p>

14. Request for notification of the time and place for the execution of the Request and identity and address of any person to be notified (Article 7)*

Anthony L. Leffert
1099 18th Street, Suite 2600
Denver, Colorado 80202
United States of America

Aharon Mann
210 Yaffo Street
Jerusalem
Israel

15. Request for attendance or participation of judicial personnel of the requesting authority at the execution of the Letter of Request (Article 8)*

16. Specification of privilege or duty to refuse to give evidence under the law of the State of origin (Article 11, b)*

17. The fees and costs incurred which are reimbursable under the second paragraph of Article 14 or under Article 26 of the Convention will be borne by*

DATE OF REQUEST

August 14, 2015

SIGNATURE AND SEAL OF THE REQUESTING AUTHORITY

**UNITED STATES DISTRICT COURT FOR
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FIRST NATIONAL MANAGEMENT LLC, a limited liability company,
and REAL INVESTORS LLC, a limited liability company,

Defendants.

**JUDGMENT CREDITOR'S PROPOSED QUESTIONS FOR
FEDERAL RULES OF CIVIL PROCEDURE RULE 69 DEPOSITION
OF AHARON MANN**

Judgment Creditor, Procom Supply, LLC ("Procom") hereby submits the following proposed questions for the deposition of Judgment Debtor, Aharon Mann, pursuant to F.R.C.P. 69(a)(2).

The following Questions are propounded to Aharon Mann. 210 Yaffo Street, Jerusalem, Israel; telephone number 97225022720, pursuant to F.R.C.P. 69(a)(2).

1. State your home address, business address, home phone, business phone, and date of birth.
2. If you are employed, state the name, address, and phone number of your employer(s).
3. If you have any income from any source other than your employer (for example, rental income, commissions, stock dividends, interest), state the name, address, phone number, amount of income, and dates of payment of the person or business paying you the income.
4. If you are not employed or have other sources of income, state all sources of money you use to pay your living expenses, including the name, address, telephone number, and amounts.

5. State whether you own or rent the home you live in, including the amount of rent or house payments you make.

6. State the name, address, account number and type of account for every financial institution (bank, savings and loan, credit union, brokerage house) where you have an account or where you have signature authority on the account.

7. If you own or owned during the last four years, or regularly use any automobiles, motorcycles, trucks, RV's, ATV's, Jet skis, boats, or trailers, list the make, model, year, VIN, date of purchase, purchase price, name of owner if only used by you. If you no longer own the vehicle, identify date of sale, sale price, and name and address of purchaser.

8. If you own or owned during the last four years, or regularly use any personal property not already described for which the purchase prices was \$500.00 or more, describe each item by make, model, date of purchase, purchase price, name of owner if only used by you. If you no longer own the item, identify date of sale, sale price, and name and address of purchaser.

9. State the name, address, and telephone number of your spouse, if you are married and if not, a close relative not living with you, indicating their relationship to you.

10. Produce copies of the following documents for the last four years:

- a. Your federal and state tax returns with all attachments.
- b. The deed to or the lease for your home.
- c. Your driver's license.
- d. Your last pay stub from your employer(s).
- e. Your last bank statement(s).

11. Are you self-employed?

12. If you are self-employed, what is the full name, address, and phone number of the business?

13. What does your business do?

14. List the name, address and phone number of each business customer during the past three months, including the amount and reason for any money owed, if any.

15. State the name, address, account number and type of account for every financial institution (bank, savings and loan, credit union, brokerage house) where the business has an account.

16. If the business owns or owned during the last four years, or regularly uses, any personal property for which it paid \$500.00 or more, describe each item by make, model, date of purchase, purchase price, name of owner if only used by you. If the business no longer owns the item, identify date of sale, sale price, and name and address of purchaser.

17. Produce and attach to your answers, copies of the following documents for the business:

- a. All bank records for the past three months.
- b. All payroll records for the past three months.
- c. Current list of the accounts receivable.
- d. Profit and Loss Statements for the current and prior year.
- e. Current asset list, including the inventory.

18. If you wish to propose an arrangement to pay the judgment, state the proposed terms.

DATED this 14th day of August, 2015.

ROBINSON WATERS & O'DORISIO, P.C.

s/Anthony L. Leffert

Anthony L. Leffert, *admitted Pro Hac Vice*
Robinson, Waters & O'Dorisio, P.C.
1099 18th Street, Suite 2600
Denver, CO 80202
Telephone: (303) 297-2600
Facsimile: (303) 297-2750
Email: aleffert@rwolaw.com
Attorneys for Plaintiff-Judgment Creditor